

Message Text

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ORIGIN EB-07

INFO OCT-01 EA-09 ISO-00 TRSE-00 AGR-10 TAR-01 SP-02

AID-05 NSC-05 CIEP-02 SS-15 STR-04 OMB-01 CEA-01

SSO-00 NSCE-00 INRE-00 USIE-00 CIAE-00 COME-00 FRB-01

INR-07 NSAE-00 XMB-04 OPIC-06 LAB-04 SIL-01 /086 R

DRAFTED BY EB/OT/STA:MCJONES:JH

APPROVED BY EB/OT/STA:WCLARK, JR.

TREAS:RSELF

EA/PHL:EHULEN

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O 282124Z AUG 75

FM SECSTATE WASHDC

TO AMEMBASSY MANILA IMMEDIATE

INFO AMCONSUL HONG KONG IMMEDIATE

UNCLAS STATE 205324

E.O. 11652: N/A

TAGS: ETRD, RP

SUBJECT: COUNTERVAILING DUTIES: CERAMIC WALL TILES

REF: A) MANILA 11891 B) MANILA 12058

1. FOLLOWING IS TEXT OF PRELIMINARY COUNTERVAILING DUTY
DETERMINATION FROM FEDERAL REGISTER OF AUGUST 26 AS RE-
QUESTED: BEGIN TEXT:

ON APRIL 9, 1975, A "NOTICE OF RECEIPT OF COUNTERVAILING
DUTY PETITION AND INITIATION OF INVESTIGATION" WAS
PUBLISHED IN THE FEDERAL REGISTER (40 FR 16119) STATING
THAT A PETITION HAD BEEN RECEIVED ALLEGING THAT CERTAIN
PAYMENTS, BESTOWALS, REBATES OR REFUNDS GRANTED BY THE
GOVERNMENT OF THE PHILIPPINES UPON THE MANUFACTURE, PRODUC-
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TION, OR EXPORTATION OF GLAZED CERAMIC WALL TILE CONSTITUTE
THE PAYMENT OR BESTOWAL OF A BOUNTY OR GRANT, DIRECTLY OR
INDIRECTLY, WITHIN THE MEANING OF SECTION 303 OF THE
TARIFF ACT OF 1930, AS AMENDED (19 U.S.C. 1303) (REFERRED

TO IN THIS NOTICE AS "THE ACT").

ON THE BASIS OF AN INVESTIGATION CONDUCTED PURSUANT TO
SECTION 159.47(C), CUSTOMS REGULATIONS, (19 CFR 159.47 (C)),

IT HAS BEEN DETERMINED PRELIMINARILY THAT BENEFITS
HAVE BEEN RECEIVED BY PHILIPPINE MANUFACTURERS/EXPORTERS
OF GLAZED CERAMIC WALL TILE WHICH CONSTITUTE A BOUNTY OR
GRANT WITHIN THE MEANING OF THE ACT. THESE BENEFITS
ARISE FROM A PROGRAM OF THE GOVERNMENT OF THE PHILIPPINES
WHICH PROVIDES VARIOUS INVESTMENT AND EXPORT INCENTIVES.
THE MEASURES WITHIN THIS PROGRAM WHICH HAVE BEEN
PRELIMINARILY DETERMINED TO CONSTITUTE A BOUNTY OR GRANT
ARE THOSE WHICH PROVIDE AN ACCELERATED DEPRECIATION
ALLOWANCE, A REDUCTION OF INCOME TAX, AND A DUTY EXEMPTION
ON IMPORTED CAPITAL EQUIPMENT. MEASURES PRELIMINARILY
DETERMINED NOT TO CONSTITUTE A BOUNTY OR GRANT WITHIN THE
MEANING OF THE ACT ARE THOSE WHICH PROVIDE FOR DRAWBACK
OF DUTIES PAID ON IMPORTED RAW MATERIALS AND THE REFUND
OR REMISSION OF INDIRECT TAXES PAID ON RAW MATERIALS. THE
FOLLOWING PROVISIONS UNDER PHILIPPINES LAW ARE AVAILABLE
BUT NOT CURRENTLY UTILIZED BY GLAZED CERAMIC WALL TILE
MANUFACTURERS/EXPORTERS: A TAX DEDUCTION OF ORGANIZATIONAL
AND PRE-OPERATING EXPENSES, A NET OPERATING TAX LOSS
CARRY-OVER, A TAX DEDUCTION OF LABOR TRAINING EXPENSES, A
TAX CREDIT FOR PURCHASE OF DOMESTIC CAPITAL EQUIPMENT,
AND A TAX DEDUCTION FOR EXPENSES INCURRED IN THE EXPANSION
OF INVESTMENT.

A FINAL DECISION IN THIS CASE IS REQUIRED ON OR BEFORE
FEBRUARY 26, 1976. BEFORE A FINAL DETERMINATION IS MADE,
CONSIDERATION WILL BE GIVEN TO ANY RELEVANT DATA, VIEWS
OR ARGUMENTS, SUBMITTED IN WRITING WITH RESPECT TO THE
PRELIMINARY DETERMINATION. SUBMISSIONS SHOULD BE
ADDRESSED TO THE COMMISSIONER OF CUSTOMS, 1301 CONSTITU-
TION AVENUE, N.W., WASHINGTON, D.C., 20229, IN TIME TO
BE RECEIVED BY HIS OFFICE ON OR BEFORE SEPTEMBER 25, 1975.
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THIS PRELIMINARY DETERMINATION IS PUBLISHED PURSUANT TO
SECTION 303(A) OF THE TARIFF ACT OF 1930, AS AMENDED (19
U.S.C. 1303(A).

(SEAL) VERNON D. AGREE,
COMMISSIONER OF CUSTOMS.

APPROVED: AUGUST 22, 1975.

DAVID R. MACDONALD, ASSISTANT SECRETARY OF THE TREASURY.
END TEXT.

2. PRESS RELEASE MERELY RECAP OF REGISTER.

3. FULL REPLY TO REF A WILL BE FORTHCOMING. INGERSOLL

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<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 26 AUG 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CERAMICS, COUNTERVAILING DUTIES
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Draft Date: 28 AUG 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
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Disposition Event:
Disposition History: n/a
Disposition Reason:
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Margaret P. Grafeld
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